

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated June 2, 2009, has been received and its contents carefully reviewed.

Claims 1-3, 5-10, and 12 are rejected by the Examiner. With this response, claim 1 has been amended and claims 14-19 have been added. No new matter has been added. Claims 4, 11 and 13 have been cancelled without prejudice or disclaimer. Thus, claims 1-3, 5-10, 12, and 14-19 remain pending in this application.

In the Office Action, claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-3, 6-10, and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,403,616 to Hattori et al. (hereinafter “Hattori”) in combination with Japanese Patent Publication No. 08-031830 (hereinafter “830”) along or further in combination with U.S. Patent No. 6,730,358 to Yamuni et al (hereinafter “Yamuni”). Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Hattori in combination with ‘830’ along or further in combination with Yamuni either or further in combination with Applicant’s admitted state of the art.

The rejection of claim 1 under 35 U.S.C. 112, second paragraph, is respectfully traversed and reconsideration is requested. Because Applicants have amended independent claim 1, Applicant respectfully submits that this rejection is traversed.

The rejection of claims 1-3, 6-10, and 12 under 35 U.S.C. § 103(a) as being unpatentable over Hattori in combination with ‘830’ along or further in combination with Yamuni is respectfully traversed and reconsideration is requested.

Claim 1 is allowable at least in that this claim recites a combination of elements, including, for example, “the master is separated from the substrate by a few micrometers (μm) during filling the resist in opening of the master.” None of the cited references, singly or in combination, teaches or suggests at least this feature of the claimed invention.

In rejecting claim 1, the Examiner stated “the distance between the mask and the substrate would be a matter of design choice of one practicing in the art depending upon the

desired end product. It is would be within the skill of one practicing in the art to separate the mask from the substrate at a “distance” equal to or slightly greater than the “height of the paste being applied to assure placement upon the substrate. These parameters are “result effective variables” which are deemed as an unpatentable distinction over the art absent a showing of unexpected results.” See Office Action line 19 page 4 – line 2 page 5.

However, Applicant does not agree with the Examiner’s statement. In the claimed invention, the resist is formed on the substrate in the thickness of few micrometers. However, in ‘830’ a bump is formed in the thickness of few hundreds. Thus, the distance between the master and the substrate is few micrometers in the claimed invention, while the distance between the mask and the substrate is few hundreds micrometers in ‘830’. If the master is apart from the substrate in the distance of few hundreds micrometers in the claimed intention, it is impossible to form the resist in the desired position on the substrate since the distance between the master and the substrate is too long comparing with the thickness of the resist.

In other words, if the distance between the master and the substrate is longer than few micrometers, the desired resist pattern for forming patterns of the liquid crystal display device cannot be formed on the substrate.

Thus, by filling the resist opening of the master which is apart from the substrate by a few micrometers, the unexpected result is obtained in the claimed invention.

Further, the cited references fail to teach or suggest at least the above-noted feature of the claimed invention of newly-amended independent claim 1. As pointed out in MPEP §2143.03, “all claim limitations must be taught or suggested.” Thus, “to establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA1974).” Accordingly, Applicant respectfully requests withdrawal of the rejection of claim 1.

Further, the Examiner also stated “Yamuni teaches a method for depositing conductive paste using stencil whereby a mask having thickness of 0.001-0.008 microns being displaced from the substrate and the pins are about greater than 40% of the length of the aperture to from the coating. With this in mind the distance between the mask and the substrate must be equal to or less than the thickness of the mask and the therefore meets the claimed invention.” See Office Action lines 5-10 page 5.

However, Applicant does not agree with the Examiner's statement. The conductive paste is deposited by the stencil to form conductive layer in the Yamuni, while the resist is deposited by the mask to form the resist layer in the claimed invention.

The resist layer is formed in the thickness of several microns or 1-9 microns, not 0.008 microns. Thus, it is not obvious for one skilled in the art at the time the invention was made that the distance between the substrate and the mask is less than 0.080 micron to form the resist layer.

Accordingly, Applicants respectfully submit that as no motivation to combine Hattori and Yamuni has been provided outside of the Applicants specification to make the combination of claim 1, Applicant respectfully requests withdrawal of the rejection of claim 1.

Claims 2-3 and 6-9 are allowable at least by virtue of the fact that they depend from claim 1, which is allowable.

Claim 10 is allowable at least in that this claim recites a combination of elements, including, for example, "the master is separated from the substrate by a few micrometers (μm) during filling the resist in opening of the master." None of the cited references, singly or in combination, teaches or suggests at least this feature of the claimed invention.

In the Office Action, the Examiner rejects claims 10 for the same reasons as claim 1. Applicants' arguments with respect to claim 1 are equally applicable to claims 10, and Applicants respectfully submit that claim 10 is allowable over the cited references for the same reasons given for claim 1 above.

Claim 12 is allowable at least in that this claim recites a combination of elements, including, for example, "the master is separated from the substrate by a few micrometers (μm) during filling the resist in opening of the master." None of the cited references, singly or in combination, teaches or suggests at least this feature of the claimed invention.

In the Office Action, the Examiner rejects claims 12 for the same reasons as claim 1. Applicants' arguments with respect to claim 1 are equally applicable to claims 12, and Applicants respectfully submit that claims 12 is allowable over the cited references for the same reasons given for claim 1 above.

The rejection of claim 5 under 35 U.S.C. § 103(a) as being unpatentable over Hattori in combination with '830' along or further in combination with Yamuni either or further in view of Applicant's admitted state of the art. is respectfully traversed and reconsideration is requested. Claim 5 is allowable at least by virtue of the fact that they depend from claim 1, which is allowable.

Applicants believe the application is in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

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Respectfully submitted,

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